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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,423	07/23/2003	Francisco L. Ziegelmuller	81625/LPK	9179

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Lawrence P. Kessler
Patent Department
NexPress Solutions LLC
1447 St. Paul Street
Rochester, NY 14653-7103

EXAMINER

BRASE, SANDRA L

ART UNIT PAPER NUMBER

2852

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,423

Applicant(s)

ZIEGELMULLER ET AL.

Examiner

Sandra L. Brase

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/23/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 2 and 10 are objected to because of the following informalities. Appropriate correction is required.

On line 2 of claim 2, "said baffle" should be changed to "a baffle".

On line 1 of claim 10, "said bracket" should be changed to "a bracket".

On line 3 of claim 10, "said shoe assembly" should be changed to "said sump".

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown (US 4,870,449).
4. Brown (...449) disclose a cleaning cartridge (42) adapted for use in a web-cleaning apparatus for removing particulate material from a surface of a moving web (11), the cartridge comprising: a cleaning blade (46), where the cleaning blade has an elongated rigid member with a rectilinear edge (90) and a flexible blade element (88) extension; a sump housing for receiving and storing particulate material, the sump housing having opposing side walls shaped to receive

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and support therebetween the cleaning blade in a predetermined position, the sump housing further comprising a first set of features (84) (col. 3, lines 13-15; and figure 2); and a lid assembly (52) in a removable secured relation with the sump housing to form an enclosed chamber with the sump housing, the lid assembly comprising a lid member having a substantially planar upper surface (figures 2 and 3) with an elongated opening through which the flexible blade members of the cleaning blades project (col. 3, lines 52-54; and figures 2 and 3), and the lid assembly further comprising a second set (86) of features that mate with the first set of features (col. 3, lines 42-49; and figures 2 and 3). An attachment mechanism hold a baffle in its desired position (figure 3), where the baffle fits within the sump housing in a predetermined position (figures 2 and 3). A bracket (75) supports the sump, where the bracket includes a mounting feature that is formed as a slot to facilitate ease of replacement of the sump (figure 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 3-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (US 4,870,449) in view of Nomura et al. (US 5,294,960).

8. Brown (...449) disclose the features as mentioned previously, but do not disclose the claimed plurality of tabs as the first set of features, the claimed plurality of slots as the second set of features, and the claimed gasket. Nomura et al. (...960) disclose a cartridge having a lower housing with a first set of features including a plurality of tabs (27) located on the opposite sides of the lower housing (col. 7, lines 11-51; and figure 6A), and an upper lid housing with a second set of features including a plurality of slots (28 and 29) that mate with the plurality of tabs to form an attachment mechanism (col. 7, lines 11-51; and figures 6A and 6B). The plurality of tabs include a set of upstream tabs located on the upstream side of the assembly and a set of downstream tabs located on the downstream side of the assembly (figure 6A). The plurality of tabs comprise tabs having a ramped edge to facilitate snap on engagement with the upper housing (col. 7, lines 11-51; and figures 6A and 6B). A gasket is located between the upper and lower housings and is compressed by the mating of the first set of features with the second set of features (col. 7, lines 49-51; and col. 8, line 52 – col. 9, line 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the claimed plurality of tabs as the first set of features and the claimed plurality of slots as the second set of features, as disclosed by Nomura et al. (...960), since such tabs and slots are known to easily join and disjoin portions of cartridges; and it would have also been obvious to one of ordinary skill in the art to

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have the claimed gasket, as disclosed by Nomura et al. (...960) so as to prevent leakage outside the cartridge.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Charland et al. (US 5,107,305) and Numagami et al. (US 5,383,011) disclose a cleaning cartridge.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is (571) 272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Sandra L. Brase". The signature is fluid and cursive, with the first name "Sandra" and last name "Brase" clearly distinguishable.

Sandra L. Brase
Primary Examiner
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September 13, 2004